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Ruby's Conviction

If errors were committed in the trial and conviction of Jack Ruby one may be sure that they will be remedied in the appellate courts—even if this means that Ruby must be tried again.

For our part, we are not impressed by the anguished outcries of defense attorneys. Melvin Belli, chief defense counsel, assailed Judge Joe B. Brown's charge to the jury in these terms: "It's un-American, un-Texan and unsanitary." For good measure, his assistant, Joe H. Tonahill, added that "it's cold blooded." Whatever the import of this, it does not go to the correctness, legal or otherwise, of the charge. If the judge erred the higher courts will say so.

We should also think the appellate judges will want to take a long look at the report that one of the jurors, prior to being chosen, had told his employer he would vote for the death penalty if selected to serve on the jury. Judge Brown said he had "heard something about that," and this, though rumors abound at such a trial, might well have prompted him to call the juror in for questioning. Certainly, if the man had made up his mind in advance, he had no business serving on the jury and this could mean that Ruby, as a matter of law, did not get a fair trial.

Also, there is room for doubt as to whether Ruby was or was not of sound mind. Under the District's Durham rule, it is quite conceivable that he would have been found not guilty because he was suffering from a mental disease or defect. If so, he might have been released after spending a few years in a mental hospital. But the Texas insanity law is different, and the jury may have been justified in rejecting the evidence offered on this point by the defense.

The climax to this extraordinary trial came with the televising of the uproar in the courtroom after the jury had announced its verdict. This is believed to be the first time that national televising of such a courtroom scene has been permitted. It ought to be the last.

- Tolson
- Belmont
- Mohr
- Casper
- Callahan
- Conrad
- DeLoach
- Evans
- Gale
- Rosen
- Sullivan
- Tavel
- Trotter
- Tele Room
- Holmes
- Gandy

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